G. R. S. IX-5]

Previous references.

1892-3

~~191~~

(Cts.)

File No. 5-1892

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

In ~~Part~~ B for Sept 1892

SUBJECT.

Memorial of Shikaripa transported for life to H. H the Maharaja of Mysore

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W D 88—GPB—50,000—24-7-16

Indexed
Countersigned

To Inspector
The Native Police
Mounted
in Northern Territory

Adelaide 8/1/93

I have the honor to forward herewith papers relating to the case of [illegible] tried at the Supreme Court Darwin on the 21st February 1893 before His Honor Mr Justice Glen Hamilton and a jury of six.

The prisoners were charged with the murder of [illegible] at Mt Wedge on the Victoria River on the 2nd December 1892 in company with [illegible] and [illegible] and others unknown.

The evidence was circumstantial and conflicting, it is not necessary that I should enter into it in detail, as the jury found all the prisoners guilty except [illegible] and recommended him to mercy on account of his youth.

His Honor in passing sentence on the prisoners remarked that he was not satisfied that the evidence was sufficient to warrant a conviction against [illegible] and [illegible] but that he would leave the matter in the hands of the Executive.

I beg to state for the information of the Minister that the sessions just terminated at Darwin were the most important ever held in the Northern Territory, as the trial of the seven natives charged with the murder of [illegible] was the first case of murder, committed by natives on natives, that has been brought before the Supreme Court of the Territory.

Four of the accused persons were sentenced to imprisonment for life, and the remaining two accused persons, one of whom was a boy, were acquitted.

The murdered man was at work for Mr [illegible] at the time he was murdered and it was in consequence of information received from Mr [illegible] that the arrests were made.

I have not yet received a copy of the judgment to act on, but I was informed by the Inspector of the Native Police that the grounds on which the two prisoners were acquitted were that the evidence against them was not sufficiently strong to warrant a conviction, but I was told by the Inspector of that

I think that the Judge did not believe
the evidence adduced aft. that man -
I expected that the ... 1st accd
at least, who was caught red-handed,
wd be sentenced to death, as such
sentence wd have had a great moral
effect on the people of Jamaica -
I may add that the prosecution witnesses
are reported to have given the same
evidence before the Sessions Judge.
as that given by them before the Com-
-mitting Magte, & that there is no truth
in the allegations contained in the telegram
sent to the Demerara by one Mackie -
-kenzie that either the accused
Mackenzie's people or his advocates
had tampered with the witnesses
for prosecution.

yrs very sincerely
A. Simmons Colony

(2)

Memorial re. Shikarappa

1 No: of case	Chitaldroog Sessions case no: 2 of 1892 - Criminal appeal no: 38 of 1892 on the file of the Chief Court of Mysore
2 Court or courts which tried it	Sessions Court Nagar Division
3 Nature of the sentence originally passed and confirmed or altered in appeal	Transportation for life. confirmed in appeal
4 Date of sentence.	20th February 92
5 Dated Confirmed in appeal	4th May 92

A daring cold blooded premeditated murder Committed in the Open Street by some 10 or 12 persons - The memorialist is the only man that was finally Convicted. He was caught red handed in the actual Commission of the murder -

6/9/92

4

(3)

In the Matter of a Memorial

addressed to His Highness the Maharaja by Thikarappah prisoner in Bhitaldroog Sessions case No: 2 of 1892 - Criminal appeal No: 38 of 1892 on the file of the Chief Court of Mysore

His Highness the Maharaja

has been pleased to pass the following

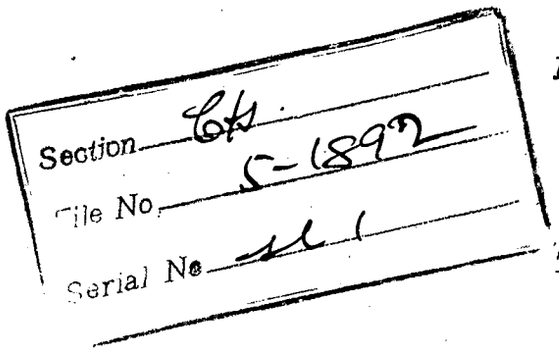
Order.

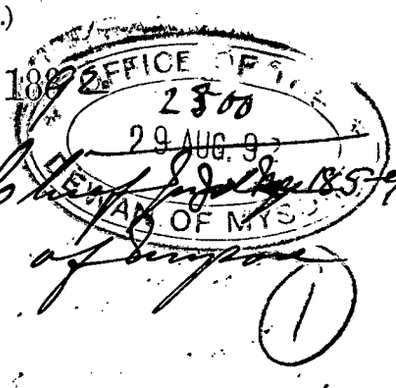
"There are no grounds whatever for
"any interference with the sentence
"which has been passed upon the
"Memorialist. The memorial is
"accordingly rejected -"

6 Sept 92 -

I

(General Serial No. 29.)





From The Chief Judge 25-92
of Bangalore

To

The ~~Secretary to~~ Dewan
of Mysore.

Dated 24 Augt/92

Despatched 27

Received

Enclosures No two

General No. 4264
No. 116 } 188 —8 .

Forwards the accompanying memorial addressed to His Highness the Maha Rajah by Shikarpur Appellant in Criminal appeal N. 387/1892 on the file of this Court.

Jud. Asst 29/8/92

Submitted in usual manner to the Dewan

30.8.92

30/8

? the same no. 3890 dd 9/9/92
J. 7.82-92

No. 4264/116 Ins. trans.

Bangalore 24th August 1892.

(1)

From,

T. R. A. Thumboo Chetty Esquire,
Chief Judge of Mysore.

To,

K. Seshadri Iyer Esquire, C. S. I.
Dewan of Mysore.

Sir,

I have the honor to forward the accompanying Memorial addressed to His Highness the Maha Rajah by Shikharappa, 1st accused in Shikkedroog Sessions case No. 2 of 1892 on the file of the Sessions Judge of Hagar, and 1st Appellant in Criminal Appeal No: 38 of 1892 on the file of this Court, under sentence of transportation for life.

The judgment of this Court in appeal and the records of the case are herewith forwarded.

I have the honor to be,
Sir,
Your most obedient Servant,

T. R. A. Thumboo Chetty
Chief Judge.

mlm

inimically disposed towards me, and have had me sentenced to transportation for life although I am quite innocent of the crime - I did not commit the murder - The murdered man Veerabhadrappa was proclaiming the name of his murderer - It is stated that he survived for one day and was in possession of his senses. If it is true that the witnesses for the prosecution saw the murderers attack on the deceased man in front of his house, why should not the inmates of the house have witnessed it? The reason why the Police should have concocted evidence through malice towards me is this - One or two months prior to this case, a riot had occurred

To

His Highness the Maha Raja
of Mysore

The humble petition
of Shivharappa convict
No 973 under sentence
of transportation for life
in the Bangalore central
jail -

The Chief Court of Mysore
having confirmed the
sentence of transportation
for life passed upon
me in Chitaldrug Sessions
case No 2 of 1892 on the
file of the Sessions Judge
of the Nagar division, I beg
to submit the following
representation to your
Highness -

In connection with a
murder which took place
at Davangere about 7 8
or 9 months ago, the Police
brought forward the
evidence of persons
unwillingly

5

occurred at Davangere. The Police were not able to collect any evidence. They asked me to get them witness. I told them that I would not lend myself to doing such nefarious things. They said "very well we will get you punished some how or other." Many witnesses know of this - It is evident from the statements of the witnesses themselves that the Police have suppressed the statement given by Veerabhadrappa before his death, & have concealed another statement. I beg that your Highness will send for the records & order my release as I am quite innocent in the matter -

Sign'd Shivkharappa

Remarks by the Sessions Judge

The murder was a cold blooded one, and was clearly brought home to the Petitioner - I have therefore no recommendation to make on his behalf -

Sessions Judge
Nagar Division

+/-

ಮಾನ್ಯರೇ,

ನಮಸ್ಕಾರಗಳು.

ನಾನು ಕಳೆದ ಹಲವು ವರ್ಷಗಳಿಂದ ಕಾಲಕಾಲಕ್ಕೆ ಸರಿಯಾಗಿ ಮನೆ ತೆರಿಗೆಯನ್ನು ಪಾವತಿಸಿಕೊಂಡು ಬಂದಿರುತ್ತೇನೆ. ಆದರೆ ಈ ಬಾರಿ ಮನೆ ತೆರಿಗೆಯನ್ನು ಪಾವತಿಸಲು ಹೋದಾಗ ಮನೆಯ ಅಳತೆಯನ್ನು ಸರಿಯಾಗಿ ಪರಿಶೀಲಿಸದೆ ಹೆಚ್ಚಿನ ತೆರಿಗೆಯನ್ನು ವಿಧಿಸಲಾಗಿದೆ. ಆದ್ದರಿಂದ ಮನೆಯ ಅಳತೆಯನ್ನು ಸರಿಯಾಗಿ ಪರಿಶೀಲಿಸಿ ಸೂಕ್ತ ತೆರಿಗೆಯನ್ನು ವಿಧಿಸಲು ಕೋರಿ ಈ ಮನವಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದೇನೆ. ಆದಷ್ಟು ಬೇಗ ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕೋರುತ್ತೇನೆ.

ಧನ್ಯವಾದಗಳೊಂದಿಗೆ,

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

(General Serial No. 30.)

1892.

(3)

Section 65
File No S-1892
Serial No 7
From

The Chief Secretary to the Dewan of Mysore.

9 Ao 150

To The Registrar, Chief Court Bangalore

Dated 9th September 1892

Despatched 10th Do

Received

Enclosures No. 1 and a Record in Sep packet

General No. 3890
J. J No. 82-92

Forwarding for information and communication to Shikarappa prisoner, copy of order passed by His Highness the Maharaja in the matter of the prisoner's memorial.

9

No 3891
J. F. 82-92

(3)

To

The Registrar of the
Chief Ct in Mysore

J. Reg no 150

Sir

I am directed to for-
ward herewith for the
information of the
Judges of the Chief Court
and for communication
to Shikarappa Prisoner in
Chitaldroog Sessions case
No: 2 of 1892 - criminal
appeal No: 38 of 1892 on
the file of the Chief Court,
copy of order passed by
His Highness the Maharaja
in the matter of the
prisoners memorial
praying for his release

2. The Asst of the Chief
Court in appeal & the records

S/

Of the case received into
~~Your~~ letter No 4264 & 24
116
ult: from the Chief Judge
are herewith returned.

Chief Secr

Attended to.
[illegible]
10/9/92